



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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FINAL MINUTES FOR EMERGENCY SUMMARY ACTION TELECONFERENCE MEETING

Held on October 7, 2005

9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Tim B. Hunter, M.D., Chair
William R. Martin III, M.D., Vice Chair
Douglas D. Lee, M.D., Secretary
Patrick N. Connell, M.D.
Ronnie R. Cox, Ph.D.
Robert P. Goldfarb, M.D.
Becky Jordan
Ram R. Krishna, M.D.
Lorraine L. Mackstaller, M.D.
Sharon B. Megdal, Ph.D.
Dona Pardo, Ph.D., R.N.
Paul M. Petelin, Sr., M.D.

CALL TO ORDER

Tim B. Hunter, M.D. called the meeting to order at 4:40 p.m.

ROLL CALL

The following Board Members were present: Tim B. Hunter, M.D., M.D., Douglas D. Lee, M.D., Patrick N. Connell, M.D., Ronnie R. Cox, Ph.D., Robert P. Goldfarb, M.D., Becky Jordan, Ram R. Krishna, M.D., Lorraine Mackstaller, William R. Martin, III, M.D., M.D., Dona Pardo, R.N., Ph.D., Paul M. Petelin, Sr., M.D., The following Board Member was not present: Sharon B. Megdal, Ph.D.

CALL TO THE PUBLIC

No one was present during the Call to the Public.

NO.	CASE NO.	COMPLAINANT v PHYSICIAN		LIC. #	SUBJECT
1.	MD-05-0013A MD-05-0605A MD-05-0681A MD-05-1018A	AMB	AMB v SUDHIR K. GOEL, M.D.	27103	Consideration of Emergency Summary Action.

Sudhir Goel, M.D. was present with counsel, Mr. Pete Fisher.

Paul M. Petelin, M.D. recused himself from the case.

Patty Reynolds, Assistant Manager of Investigations, presented the case to the Board. Case # MD-05-1018A was opened on October 7, 2005 due to a complaint filed the same day alleging Dr. Goel asked patient R.S. to take off her clothes for every visit, even when she was only at the appointment for a prescription. The patient also alleged Dr. Goel has manipulated her breasts and touched her vaginal area. The patient said she filed a complaint with the police, who gave Dr. Goel a warning. R.S. said since the time in which Dr. Goel received a warning from the police, Dr. Goel has touched her inappropriately again. R.S. indicated she is usually sitting in a chair when Dr. Goel examines her and he does not wear gloves. The patient said there has not been a chaperone in the room on these visits except for on the visit of September 25, 2005. However, she alleges Dr. Goel still manipulated her through her shirt with the chaperone present. Dr. Goel is currently under a Board Order which prohibits him from seeing female patients without a chaperone.

The complainant said she had to continue seeing Dr. Goel because she had AHCCCS insurance and he was her primary care physician. R.S. reported her last appointment on September 29, 2005 was for prescription refills and Dr. Goel, again examined her breast with his hands and did not use a stethoscope. A mitigating factor in this case is that the patient is a 61-year-old woman who has some memory issues.

On October 7, 2005 Board's staff conducted an on-site visit of Dr. Goel's office. Dr. Goel's testimony was inconsistent during the visit. Dr. Goel admitted to doing a breast exam on the patient on September 29, 2005 but denied touching the patient's vagina. Later on he also denied doing a breast exam on the patient for the visit of September 29, 2005. Dr. Goel said he recalled the patient's past complaint about his frequent breast exams and that he allegedly received a phone call from her boyfriend who had pretended to be the police department. Dr. Goel said he suggested the patient see his wife, who is a physician in the same office, but the patient ultimately stayed under his care.

Board's staff interviewed the chaperone who signed the chart for the September 29, 2005. The chaperone said she did not recall the particular exam or the patient, although she could attest the signature on the chart was hers. The chaperone admitted sometimes the chart is signed by the chaperone more than one day after the appointment. Another chaperone said she had witnessed her first breast exam as a follow up for a mammogram. She stated Dr. Goel had the patient lift her shirt while in a chair.

Lorraine Brown, Senior Compliance Officer summarized the other current cases opened against Dr. Goel. She stated Dr. Goel hired six different chaperones within a six week period. She stated when she interviewed the chaperones who currently work at the office; they did not seem to be aware of their objective for chaperoning Dr. Goel.

Mr. Fisher stated the allegations made against Dr. Goel are not logical. He stated the police department will not merely issue a warning for a sexual assault complaint. He also stated the patient could have complained to AHCCCS they would have given her a new primary care physician. Mr. Fisher stated the patient's Dementia may have been the reason for these allegations. He stated the patient is bipolar, has been sued by her own family, and is not credible. Mr. Fisher said he drafted an agreement for the chaperones in Dr. Goel's office, which they must sign. Mr. Fisher stated the agreement clearly notifies them of their objective for being present in the examination room as a chaperone.

The Board adjourned for Executive Session at 5:13 p.m.
The Board returned to Open Session at 5:26 p.m.

Dr. Mackstaller stated the medications the patient is on are effective in helping memory loss, however, it was concerning the patient is also on Benzodiazepines which would make the matter worse.

The Board then reviewed the confidential results of Dr. Goel's psychosexual report.

Tim B. Hunter, M.D. said the psychosexual report raised a number of concerns for him.

William R. Martin, III, M.D. stated the Board's objective is to protect the public.

MOTION: Douglas D. Lee, M.D. moved that for the protection of public health and safety, the Board summarily restrict the physician's practice to male patients only.

SECONDED: Ronnie R. Cox, Ph.D.

Patrick N. Connell, M.D. stated the case was a difficult case but in light of the previous hearings on this matter, there seems to be some evidence the issues are still occurring and the physician is not in compliance with the Board's Order.

Becky Jordan said the testimony from the chaperones left some discrepancies as to whether they were in the room when patient R.S. was examined.

ROLL CALL VOTE: Roll call vote was taken and the following Board Members voted in favor of the motion: Patrick N. Connell, M.D., Ronnie R. Cox, Ph.D., Robert P. Goldfarb, M.D., Tim B. Hunter, M.D., Ram R. Krishna, M.D., Douglas D. Lee, M.D., Lorraine Mackstaller, M.D., William R. Martin, III, M.D., Dona Pardo, R.N., Ph.D. The following Board Member was recused: Paul M. Petelin, Sr., M.D. The following Board Member abstained: Becky Jordan The following Board Member was absent: Sharon B. Megdal, Ph.D.

VOTE: 9-yay, 0-nay, 1-abstain/1-recuse, 1-absent

MOTION PASSED.

Christine Cassetta, Board Legal Counsel stated that the Board Order was effective immediately because the physician and his attorney were present during the proceedings.

The meeting adjourned at 5:52 p.m.

